

PATENT APPLICATION

DECLARATION AND POWER OF ATTORNEY FOR PATENT APPLICATION	ATTORNEY-DOCKET NO.: 03-062-GS
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As a below named inventor, I hereby declare that:
 My residence/post office address and citizenship are as stated below next to my name;
 I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MECHANICAL OCCLUDING AND DILATION DEVICE FOR A VESSEL

the specification of which is attached hereto unless the following box is checked:

☐ was filed on _____ as US Application Serial No. or PCT International Application
 Number _____ and was amended on _____ (if applicable).

I hereby state that I have reviewed and understood the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above. I acknowledge the duty to disclose all information which is material to patentability as defined in 37 CFR 1.56.

Foreign Application(s) and/or Claim of Foreign Priority

I hereby claim foreign priority benefits under Title 35, United States Code Section 119 of any foreign application(s) for patent or inventor(s) certificate listed below and have also identified below any foreign application for patent or inventor(s) certificate having a filing date before that of the application on which priority is claimed:

COUNTRY	APPLICATION NUMBER	DATE FILED	PRIORITY CLAIMED UNDER 35 U.S.C. 119
			YES:____ NO:____
			YES:____ NO:____

Provisional Application

I hereby claim the benefit under Title 35, United States Code Section 119(e) of any United States provisional application(s) listed below:

APPLICATION SERIAL NUMBER	FILING DATE
60/406,280	08/27/2002

U.S. Priority Claim

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

APPLICATION SERIAL NUMBER	FILING DATE	STATUS(patented/pending/abandoned)
10/648,985	08/27/2003	Pending

POWER OF ATTORNEY:

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) listed below to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

Melissa Patangia, Reg. No. 52,098
Gary E. Lambert, Reg. No. 35,925

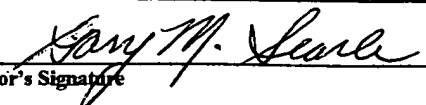
Send Correspondence to: Lambert & Associates 92 State Street Boston, MA 02109-2004	Direct Telephone Calls To: (617) 720-0091
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of Inventor: Gary Searle Citizenship: United States

Residence: Norfolk, Massachusetts

Post Office Address: 24 Barnstable Road, Norfolk, Massachusetts 02056

Inventor's Signature:  Date: 11/24/03

LIST OF INVENTOR DUTIES

An applicant for patent owes a duty of candor and good faith to the United States Patent Office. This duty applies equally to any person who assisted at any time in the prosecution of the patent, including the attorney. To satisfy this obligation, all information known to be material to the patentability of any claim must be disclosed to the Patent Office. **There is no requirement to search for information that might prove adverse to your invention, however, any knowledge that you currently possess or later come into possession of, must be disclosed.** If at any time it is determined that you failed to comply, invalidation of the patent will result. Full disclosure of all relevant information prior to the issuance of the patent, although not a guarantee, does serve to bolster the presumption that your patent is valid.

An applicant for patent must also describe the best mode known to the inventor for carrying out the invention at the time that the inventor files the application. The description must be sufficient to enable one skilled in the art of the invention to make and use the same.

With the former in mind, please let us know whether the answer to any of the following questions is no so that we can bring it to the attention of the Patent Office:

- | | |
|--|---|
| Have all the contributors to each and every claim in the patent been disclosed? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the application technically correct? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Have all necessary features of the invention been described in the application? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Are all limitations necessary to the invention described in the application? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Is the best method for making and using the invention disclosed in the application? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Does the application disclose all details necessary to enable one skilled in the art to make and use the invention? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Have all important points known to the inventor been disclosed to the attorney, e.g.; sales, offers to sell the invention, public use, commercial use? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| Have the most relevant references been disclosed to the attorney and have the most relevant parts been pointed out and explained where necessary? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

Name (Typed)



Signature

11/24/03

Date